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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of Gerald T. Mearini, et al.

MAR 22 2004

Serial No.: 09/865,152

Art Unit: 1762

OFFICE OF PETITIONS

Filed: May 24, 2001

Examiner: Bret P. Chen

Title: OPTICAL FILTER CONSTRUCTION BY ATOMIC LAYER CONTROL FOR
NEXT GENERATION DENSE WAVELENGTH DIVISION MULTIPLEXER**PETITION TO REVIVE THE APPLICATION
UNDER 37 CFR § 1.137(b)**Mail Stop **Petition**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby petitions the Office under 37 CFR §1.137(b) to revive the subject application that was unintentionally abandoned for failure to timely respond to a non-final Office Action.

Applicant submits herewith:

- a. a response to the non-final Office Action dated December 12, 2002;
- b. the Petition Fee as set forth in 37 CFR § 1.17(m);

The undersigned hereby states that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional.

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Favorable consideration of this petition and acceptance of the response to the non-final Office Action is solicited.

Respectfully submitted,

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